

STATEMENT OF SUE MASICA, ACTING DEPUTY DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON FEDERAL LANDS, CONCERNING H.R. 4266, TO CLARIFY THE BOUNDARY OF ACADIA NATIONAL PARK, AND FOR OTHER PURPOSES.

November 15, 2017

Chairman McClintock, Ranking Member Hanabusa, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 4266, to clarify the boundary of Acadia National Park, and for other purposes.

The Department supports this legislation. H.R. 4266 contains changes to H.R. 763, the original bill introduced on this subject, that address the Department's concerns about the original version's provisions on park boundary authority and traditional harvesting authority in Acadia National Park. We appreciate the willingness of the bill sponsor, Representative Poliquin, and the other members of the Maine delegation, to work with us to resolve these concerns.

Section 2 of H.R. 4266 would confirm in statute that the boundary of Acadia National Park now also includes the approximately 1,441-acre Schoodic Woods property that was donated to the National Park Service (NPS) in 2015.

The NPS accepted the donation of the Schoodic Woods property and added it to the boundary of the park under the authority of 16 U.S.C. 342(a), which was enacted as part of the Act of January 19, 1929, and which authorizes the NPS to accept donations of lands, easements, and buildings within Hancock County, Maine, the county in which most of Acadia is located. The NPS published the notice of the boundary adjustment reflecting the imminent acceptance of fee title to the Schoodic Woods property in the Federal Register of November 17, 2015.

We understand the concerns that have been raised about the use of this authority given that Congress passed legislation in 1986 establishing a "permanent boundary" for the park (Section 102 of P.L. 99-420). Section 2 would allay those concerns and we support this section.

Section 3 provides that, although generic minor boundary adjustment authority could not be used at Acadia, the National Park Service would have a park-specific authority to make technical boundary revisions and other limited boundary revisions involving up to 10 acres of land. The legislation additionally provides that all such revisions taken together may not increase the size of the park by more than a total of 100 acres over the size of the park on the date of enactment of this bill.

This provision will allow the NPS to address encroachments due to mistaken surveys, rationalize boundary lines, and otherwise resolve real-world land ownership dilemmas that have an impact on neighboring landowners. We understand the desire of the Maine delegation and the communities around Acadia to limit changes to the park boundaries established in 1986 and we appreciate the sponsor's pragmatic approach to this issue.

Section 4 would authorize the Secretary, subject to the availability of prior appropriations, to contribute \$350,000 to a regional consortium of local governments on or near Mount Desert Island that is established to improve the management of the disposal and recycling of solid waste. The 1986 law required the Secretary to contribute the lesser of \$350,000 or 50% of the cost of the construction of a waste transfer facility that would benefit the park as well as the local towns. This funding was never appropriated and construction of a facility is no longer needed, but there is local interest in converting the \$350,000 authorization for construction into a federal payment for municipal waste disposal. We support section 4.

Section 5 would permanently authorize the Acadia National Park Advisory Commission. The Department recognizes the important work of the Acadia National Park Advisory Commission (Commission). The Commission advises the Secretary of the Interior on matters relating to the management and development of the park. The Commission is composed of 16 members, ten of whom are appointed based on recommendations from the park's host communities including the four towns of Mount Desert Island, three Hancock County mainland towns, and three island towns.

Section 6 would prohibit the use of the 1929 authority, and authority under section 3 of the Act of February 26, 1919, to acquire land by donation outside of the "permanent boundary" established in 1986. The intent of this section is to ensure that the boundaries of the park cannot be enlarged beyond the lines drawn in 1986 through a donation of land, except for limited boundary revisions that are authorized through Section 3 of this Act. We support section 6.

Section 7 provides that specified lands that were part of Acadia and that were conveyed by the NPS to the town of Tremont, on Mt. Desert Island, for school purposes shall no longer be required to be used exclusively and perpetually for school purposes if the land is being used for public purposes, subject to the condition that use of the land shall not degrade or adversely impact the resources or values of Acadia National Park and that the lands shall remain in public ownership for recreational, educational, or similar public purposes.

Public Law 81-629 permitted the NPS to convey a parcel identified as NPS Tract 06-126 to the town to locate a new school. The town is now consolidating schools with a neighboring town and thus will no longer use this property exclusively for school purposes, but would like to retain ownership and continue to use the developed property for community purposes. This legislation would allow it to do so and we support this section

Section 8 provides that the Secretary shall allow the traditional harvesting of marine species in Acadia and outside of the park where the NPS has a property interest. The provision would allow for the harvesting of marine worms, shellfish, and other marine species (as defined by Maine Revised Statutes as in effect on the date of enactment of this act). The Department supports this provision to allow traditional harvesting of clams and worms in the intertidal areas of the park to continue.

Finally, Section 9 would require the Secretary to convey to the Town of Bar Harbor a 0.29-acre parcel of land for the construction of a solid waste transfer facility. The Department supports this section and the overall intent of the legislation.

Mr. Chairman, this concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.